MIC

Republic of the Union of Myanmar Myanmar Investment Commission
Form (3)
Sr.No. 447-A
Date 3.10.2017

The Republic of the Union of Myanmar

Myanmar Investment Commission

Permit

Permit No. 028 /2017 Date 3 October 2017

This permit is issued by the Myanmar Investment Commission according to the section 25, sub-section (c) of the Myanmar Investment Law:-

(1) Name of Investor MR. THAM KWONG WING

(2) Citizenship SINGAPORE

(3) Residence Address 757, CHOA CHU KANG NORTH 5 # 03-123, SINGAPORE 680757

(4) Name and Address of Principal Organization UPC RESOURCES PTE.LTD. 208, TOA PAY NORTH # 05-1269, SINGAPORE 310208

(5) Place of Incorporation SINGAPORE

(6) Type of business REFINING, DISTRIBUTION AND SALES OF OXYGEN, NITROGEN, CARBON DIOXIDE AND ARGON

(7) Place(s) of investment Project PLOT NO. 5, MYAY TAING BLOCK NO.143/1 , NO. A-08, KYANSITTHAR ROAD, KYANSITTHAR INDUSTRIAL ZONE, DAGON MYOTHIT (SOUTH) TOWNSHIP, YANGON REGION

(8) Amount of Foreign Capital US$ 0.90 MILLION

(9) Period for Foreign Capital to be brought in WITHIN ONE YEAR FROM THE DATE OF ISSUANCE OF MIC PERMIT

(10) Total Amount of Capital (Kyat) EQUIVALENT IN KYAT OF US$ 1.20 MILLION (INCLUDING US$ 0.90 MILLION)

(11) Construction Period 1 YEAR

(12) Validity of Permit 10 YEARS

(13) Form of Investment JOINT VENTURE

(14) Name of Company Incorporated in Myanmar AIR PRODUCTS (MYANMAR) COMPANY LIMITED

2.10.17

Chairman

Myanmar Investment Commission

ပြည်ထောင်စုသမ္မတမြန်မာနိုင်ငံတော်

မြန်မာနိုင်ငံရင်းနှီးမြှုပ်နှံမှုကော်မရှင်

ခွင့်ပြုမိန့်

ခွင့်ပြုမိန့်အမှတ် ၁၂၈/၂၀၁၇ ၂၀၁၇ ခုနှစ်၊ အောက်တိုဘာ လ ၃ ရက်

မြန်မာနိုင်ငံရင်းနှီးမြှုပ်နှံမှုကော်မရှင်သည် မြန်မာနိုင်ငံရင်းနှီးမြှုပ်နှံမှုဥပဒေ ပုဒ်မ ၂၅၊ ပုဒ်မခွဲ (ဂ) အရ ဤခွင့်ပြုမိန့်ကိုထုတ်ပေးလိုက်သည် -

(၁) ရင်းနှီးမြှုပ်နှံသူအမည် MR. THAM KWONG WING

(၂) နိုင်ငံသား စင်္ကာပူ

(၃) နေရပ်လိပ်စာ 757, CHOA CHU KANG NORTH 5 # 03-123, SINGAPORE 680757

(၄) ပင်မအဖွဲ့အစည်းအမည်နှင့်လိပ်စာ UPC RESOURCES PTE.LTD. 208, TOA PAY NORTH # 05-1269, SINGAPORE 310208

(၅) ဖွဲ့စည်းရာအရပ် စင်္ကာပူ

(၆) ရင်းနှီးမြှုပ်နှံသည့်လုပ်ငန်းအမျိုးအစား REFINING, DISTRIBUTION AND SALES OF OXYGEN, NITROGEN, CARBON DIOXIDE AND ARGON

(၇) ရင်းနှီးမြှုပ်နှံသည့်အရပ်ဒေသ(များ) မြေကွက်အမှတ် (၅)၊ မြေတိုင်းရပ်ကွက်အမှတ် (၁၄၃/၁)၊ အမှတ်-A(08)၊ ကျန်စစ်သားလမ်း၊ ကျန်စစ်သားရိပ်မွန်စက်မှုဇုန်၊ ဒဂုံမြို့သစ်(တောင်ပိုင်း) မြို့နယ်၊ ရန်ကုန်တိုင်းဒေသကြီး

(၈) နိုင်ငံခြားမတည်ငွေရင်းပမာဏ အမေရိကန်ဒေါ်လာ ၀.၉၀ သန်း

(၉) နိုင်ငံခြားမတည်ငွေရင်းယူဆောင်လာရမည့်ကာလ ကော်မရှင်ခွင့်ပြုမိန့် ရရှိသည့်နေ့မှ (၁) နှစ် အတွင်း

(၁၀) စုစုပေါင်းမတည်ငွေရင်းပမာဏ(ကျပ်) အမေရိကန်ဒေါ်လာ ၁.၂၀ သန်းနှင့် ညီမျှသော မြန်မာကျပ်ငွေ(အမေရိကန်ဒေါ်လာ ၀.၉၀ သန်းအပါအဝင်)

(၁၁) တည်ဆောက်မှု/ပြင်ဆင်မှုကာလ ၁ နှစ်

(၁၂) ရင်းနှီးမြှုပ်နှံမှု ခွင့်ပြုသည့် သက်တမ်း ၁၀ နှစ်

(၁၃) ရင်းနှီးမြှုပ်နှံမှုပုံစံ ဖက်စပ်နိုင်ငံခြားရင်းနှီးမြှုပ်နှံမှု

(၁၄) မြန်မာနိုင်ငံတွင်ဖွဲ့စည်းမည့်ကုမ္ပဏီအမည် AIR PRODUCTS (MYANMAR) COMPANY LIMITED

3.10.17

ဥက္ကဋ္ဌ

မြန်မာနိုင်ငံရင်းနှီးမြှုပ်နှံမှုကော်မရှင်

THE REPUBLIC OF THE UNION OF MYANMAR
MYANMAR INVESTMENT COMMISSION

No.(1), Thitsar Road, Yankin Township, Yangon

Tel: 95-1-658130
Fax:95-1-658142

Our ref:MIC-5(O)/ P-007/ 2017 (447-A)
Date : 3rd October 2017

Subject: **Decision of the Myanmar Investment Commission on the Permit Application for Refining, Distribution and Sale of Oxygen, Nitrogen, Carbon Dioxide, Argon under the name of Air Products (Myanmar) Co., Ltd.**

Reference: Air Products (Myanmar) Co., Ltd. Letter dated 1-9-2017

1. The Myanmar Investment Commission, at its meeting (13 /2017) held on 25th September 2017, approved the investment in refining, distribution and sales of Oxygen, Nitrogen, Carbon Dioxide and Argon under the name of Air Products (Myanmar) Company Limited submitted by UPC Resources Pte. Ltd. (75%) from the Republic of Singapore and Sun Gas Co., Ltd. (25%) from the Republic of the Union of Myanmar as a joint venture investment in accordance with the Myanmar Investment Law and Rules.

2. The terms and conditions of the Permit are stated in the following paragraphs:

(a) The term of the Permit shall be initial 10 (ten) years commencing from the date of the issuance of the Permit by the Myanmar Investment Commission and extendable for 10 (ten) years in two times with the approval of Myanmar Investment Commission.

(b) The term of the Lease Agreement for the Land and Building shall be (5) years commencing from the date of signing of the Lease Agreement between K & M Capital Co., Ltd. (Lessor) and Air Products (Myanmar) Co., Ltd. (Lessee).

(c) The annual rent for the Land and Building shall be US$ 36,388(United States Dollar thirty-six thousand, three hundred and eighty- eight only) calculated at the rate of USS 75.78 per square meter per year of the building measuring (480.17 square meters).

(d) Air Products (Myanmar) Company Limited , which has obtained this permit to receive benefits relating to the right to use land under Chapter XII and exemptions and reliefs under sections 77 and 78 of the Chapter XVIII of Myanmar Investment Law, may submit the application form.

(e) Air Products (Myanmar) Company Limited shall use its best efforts to achieve a timely realization of the work stated in the Permit application.

(f) Air Products (Myanmar) Company Limited shall obey and respect the responsibilities of investors under section 65 of Myanmar Investment Law and Chapter XX of Myanmar Investment Rules.

(g) Air Products (Myanmar) Company Limited shall carry out prevention, mitigation and monitoring of significant environmental impacts according to the type of investment activities in accordance with the relevant laws, rules, regulations and procedures.

(h) Air Products (Myanmar) Company Limited shall submit to the Commission any sublease, mortgage, transfer of shares or transfer of the business to any person during the permitted investment period in accordance with section 72 of Myanmar Investment Law and rule 191 of Myanmar Investment Rules.

(i) Air Products (Myanmar) Company Limited which has benefitted from the Permit or exemptions and reliefs shall submit an annual

report in the prescribed form to the Commission within (3) months of the end of the financial year in accordance with rule 196 of Myanmar Investment Rules and shall publish a summary of the report on its website or the Commission's website.

(j) Air Products (Myanmar) Company Limited must, during the operation period under the permit of the Commission, submit its operating report quarterly in the prescribed form in accordance with rule 197 of Myanmar Investment Rules.

3. Air Products (Myanmar) Company Limited shall submit (5) copies of all approvals, licences, permits and similar authorizations relevant to the initial implementation of the investment, Joint Venture agreement and the Lease Agreement for Land and Building to the Commission.

(Kyaw Win)

Chairman

Air Products (Myanmar) Company Limited

cc: 1. Office of the Government of the Republic of the Union of Myanmar
2. Ministry of Home Affairs
3. Ministry of Natural Resources and Environmental Conservation
4. Ministry of Labour, Immigration and Population
5. Ministry of Industry
6. Ministry of Commerce
7. Ministry of Planning and Finance
8. Central Bank of Myanmar

9. Yangon Region Investment Committee
10. Office of the Yangon Region Government
11. Director General, Department of Environmental Conservation
12. Director General, Directorate of Labour
13. Managing Director , No. (3), Heavy Industries Enterprise
14. Director General, Department of Trade
15. Director General, Directorate of Investment and Company Administration
16. Director General, National Archives Department
17. Director General, Internal Revenue Department
18. Director General, Customs Department
19. Yangon Region Office, Directorate of Investment and Company Administration